

CONNECTICUT SITING COUNCIL

**PETITION OF NEW CINGULAR)
WIRELESS PCS, LLC ("AT&T") TO THE)
CONNECTICUT SITING COUNCIL FOR A)
DECLARATORY RULING THAT NO)
CERTIFICATE OF ENVIRONMENTAL)
COMPATIBILITY AND PUBLIC NEED IS)
REQUIRED FOR THE PROPOSED)
INSTALLATION OF AN CONCEALED)
TOWER ON A WATER TANK AND)
RELATED FACILITIES LOCATED AT A)
WATER TREATMENT PLANT AT)
455 VALLEY ROAD)
GREENWICH, CONNECTICUT)**

**PETITION NO. 1010
FEBRUARY 16, 2012**

RESPONSES TO INTERVENOR INTERROGATORIES

AT&T raises a general objection to the Intervenors' Interrogatories as a majority seek information that is overbroad, immaterial to the Council's jurisdiction under the Public Utility and Environmental Standards Act, not intended to achieve the orderly conduct of this proceeding, and exceed the basis for intervention even under Section 22a-19 of the Connecticut General Statutes. A petition for a declaratory ruling and administrative proceedings thereon are not litigation and many of the document discovery demands of the Intervenors are inappropriate as a matter of law. In fact, state law and the Council's regulations do not specifically identify pre-hearing interrogatories as a procedural tool available to intervenors in a petition for a declaratory ruling, and as such, they are not principally a right of the Intervenors. See UAPA Section 4-176(g) which specifically omits a reference to subsection (a) of Section 4-177c which ostensibly allows interrogatories in contested cases. In further support of its objection, AT&T refers the Siting Council to Sections 4-176(d), 4-177c(b), 4-178 of UAPA and in particular subsection 4-178(1) which provides for the "exclusion of irrelevant, immaterial or unduly repetitious evidence" and the Council's own regulations which state that "these rules shall be so construed by the council as to secure just, speedy, and inexpensive determination of the issues presented hereunder." R.C.S.A. § 16-50j-4. AT&T offers the below responses to the Intervenors Interrogatories and incorporates its general and more specific objections as noted in the response to each question.

Q1) Please identify by name, position and address, any person answering or assisting in answering these interrogatories on behalf of New Cingular Wireless PCS, LLC (hereinafter referred to as "AT&T").

A1) Factual responses to interrogatories have been principally prepared by AT&T's witnesses in this proceeding with assistance from their colleagues and others as listed below in response to Interrogatory 2.

Q2) Please identify by name, position and address all persons who participated on behalf of AT&T to evaluate the subject property at 455 Valley Road, Greenwich, Connecticut (hereinafter referred to as the "Proposed Site") for AT&T with regard to radio frequencies, environmental impact, and compliance with any local, state or federal regulations.

A2) This question was responded to by AT&T's representatives in large part at the Siting Council's February 9, 2012 public hearing in response to cross-examination by counsel for the Intervenors. There are numerous AT&T personnel and consultants who participate in evaluating sites, including evaluations of the Proposed Site. For purposes of this petition for a declaratory ruling, AT&T has produced four witnesses for examination at the public hearing. A list of those and other individuals known to have participated in various evaluations of the Proposed Site as it relates to the Public Utility Environmental Standards Act includes, but may not be limited to:

New Cingular Wireless PCS LLC ("AT&T"), 500 Enterprise Drive, Rocky Hill Connecticut 06067
Michele G. Briggs, Real Estate Manager
Walter Saddig, RF Engineering Manager
Eric Schneider, Area Manager Construction
Radu Alecsandru, RF Engineer

CHA, Inc.

Paul Lusitani, Project Engineer, 2139 Silas Deane Highway, Suite 212, Rocky Hill, CT
John Montgomery, Engineer II, 2139 Silas Deane Highway, Suite 212, Rocky Hill, CT
Peter Perkins, Manager, Senior Engineer V, 2139 Silas Deane Highway, Suite 212, Rocky Hill, CT
Steve Nieradka, Visualization & Spatial Technologies Manager, 3 Winners Circle, Albany, NY
Paul Gallo, Sr. Multimedia Developer, 3 Winners Circle, Albany, NY
William Whimple, Manager, Senior Surveyor, 3 Winners Circle, Albany, NY
William Lucarelli, Executive Vice President, Principal Surveyor, 3 Winners Circle, Albany, NY
Blaine Carpenter, Party Chief, 3 Winners Circle, Albany, NY
Barry Stone, Sr. Party Chief, 3 Winners Circle, Albany, NY
Tony Marruso, Engineer II, 3 Winners Circle, Albany, NY
Christopher Jedrich, Manager, Principal Engineer VI, Powers Building, 16 Main Street West, Suits 830, Rochester, NY
Thomas O'Brien, Sr. Vice President, Managing Engineer VIII, 3 Winners Circle, Albany, NY

C Squared Systems, LLC, 65 Dartmouth Drive, Unit A3, Auburn, NH 03032

Tony Wells, Managing Partner/RF Engineer
Martin Lavin, RF Engineer
Keith Vellante, RF Engineer
Eric Jensen, RF Engineer
Miroslav Bernkopf, RF Engineer
Evan Thibodeau, RF Engineer

KJK Wireless LLC

Jaclyn Swenson – Site Acquisition Specialist, 485 Maple St Franklin, MA 02038
Kenneth Kozyra – Principal, 127 Ridge Rd Nashua, NH 03062

SAI, Inc.

Chuck Regulbuto – Site Acquisition Manager, 500 Enterprise Dr, Rocky Hill CT 06067

Erwin Buhat, Project Manager, 500 Enterprise Dr, Rocky Hill CT 06067

Kevin Mason, Project Director, 260 Cedar Hill Street, Marlborough, MA 01752

Jonathan McNeal, Zoning Manager, 22 Keewaydin Drive Salem, NH 03079

VHB | Vanasse Hangen Brustlin, Inc., 54 Tuttle Place, Middletown, CT 06457-1847

Michael Libertine, Director of Environmental Services

Philip M. Rydel, Senior Environmental Scientist

Dean Gustafson, Professional Soil Scientist

Matthew Davison, Registered Soil Scientist, CT Certified Forester

Coreen L. Kelsey, Environmental Coordinator

Q3) Please provide copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which AT&T relied upon when it evaluated the Proposed Site with regard to radio frequencies, environmental impact, and compliance with any local, state or federal regulations.

A3) AT&T objects to this interrogatory as overbroad for purposes of the legal and factual matters of relevance in Petition 1010 and asserts various privileges to certain documents. To the extent relevant to the Council's considerations, a copy of AT&T's National Environmental Policy Act compliance documentation as prepared by VHB is annexed as Exhibit 1.

Q4) Does AT&T have any information or documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which describe the Proposed Site as being classified as Class I or Class II watershed land? If so, please provide a description of such information and copies of any such document(s).

A4) As noted at the February 9, 2012 public hearing, AT&T's consultants at VHB conferred with representatives of Aquarion to develop aerial maps included in response to the Siting Council's interrogatory #7 and identify water company land classifications for those areas of the Proposed Site. There are no other maps or reports AT&T is aware of that describe and identify those areas of the Aquarion property that are Class I, II and III watershed lands.

Q5) If any portion of the Proposed Site is classified as Class I or Class II watershed land, with what local, state or federal regulations must AT&T comply in order to construct the lattice tower structure that is being proposed for the Proposed Site in this Petition 1010 (hereinafter referred to as the "Proposed Tower")?

A5) This question calls for a legal conclusion and exceeds matters of relevance in Petition 1010 which is limited to a ruling on the environmental effects associated with AT&T's concealed tower and related equipment at the Proposed Site for purpose of the Public Utility and Environmental Standards Act. The Intervenor's are respectfully referred to their legal counsel for advice in this regard.

Q6) If any portion of the Proposed Site is classified as Class I or Class II watershed land, does AT&T need to obtain approval(s) from any local, state or federal agencies, other than the Connecticut Siting Council (hereinafter referred to as the "Siting Council")? If so, please describe the applicable local, state and/or federal agency.

A6) This question calls for a legal conclusion and exceeds matters of relevance in Petition 1010 which is limited to a ruling on the environmental effects associated with AT&T's concealed tower and related equipment at the Proposed Site for purpose of the Public Utility and Environmental Standards Act. The Intervenors are respectfully referred to their legal counsel for advice in this regard and AT&T generally refers the Intervenors counsel to Section 25-32(f) of the Connecticut General Statutes which specifically allows towers on water tanks and water company lands. Aquarion has advised AT&T that if a permit is required from the Connecticut Department of Public Health, Aquarion would seek same post any approval of the facility as proposed by AT&T in Petition 1010.

Q7) What uses have taken place at the Proposed Site during the last three (3) years? For each use, please provide copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which describe any such use.

A7) This question and document demand exceeds matters of relevance in Petition 1010 which is limited to a ruling on the environmental effects associated with AT&T's concealed tower and related equipment at the Proposed Site for purpose of the Public Utility and Environmental Standards Act. AT&T is generally aware that the site is a water treatment plant with a emergency diesel generator and that the Town maintains a sewer line on a portion of the property.

Q8) Does the Aquarion Water Company of Connecticut (hereinafter "Aquarion") currently use the Proposed Site for any public water works purpose, including but not limited to the storage, treatment, drainage, or flushing of water to be used by the general public?

A8) Yes.

Q9) Please describe the manner in which Aquarion currently uses the water tank at the Proposed Site.

A9) Aquarion has advised AT&T that the exact use of the water in the tank is for backwashing filters. Water is first pumped into the tank from a clearwell and then valved to the filters via gravity to backwash. It is the same water as the plant effluent, and can be drained back into the clearwell and used as plant effluent. Its intended use is for backwashing.

Q10) Will any of the power sources used by AT&T, or any other telecommunications carrier that co-locates in the future at the Proposed Tower, use any power source that is generated by fuel or natural gas?

A10) The permanent installation as proposed by AT&T does not rely on any on-site fossil fuel power source. On site battery backup power consists of small fully encased VRLA gel batteries installed in a cabinet in the shelter. In the event of prolonged power outages, a temporary generator may be deployed to the Proposed Site which, depending on the type of unit, would necessary rely on some type of fuel source independent of the commercial power grid.

Q11) If any part of the answer to the preceding Interrogatory is in the affirmative, please provide a description of the manner in which the power source(s) will use fuel or natural gas as a power source.

A11) Attached as Exhibit 2 is a specification for a typical temporary mobile generator AT&T can use in the State of Connecticut.

Q12) In its Responses to Pre-Hearing Interrogatories, dated February 2, 2012, AT&T states that “[i]n the event of a prolonged power outage, AT&T could utilize a temporary mobile generator at the facility location.” How would said temporary mobile generator power? Would said temporary mobile generator use fuel or natural gas?

A12) See typical specifications attached as Exhibit 2.

Q13) Will AT&T, or any other telecommunications carrier that co-locates in the future at the Proposed Tower, store any fuel or natural gas at the Proposed Site?

A13) AT&T has no plan to store any fuel or natural gas at the Proposed Site and AT&T is not aware of any other carrier potential use of the site.

Q14) Does AT&T have any information or documents in its possession (including but not limited to any and all papers, reports, records and communications) which confirm that it is possible, even remotely, that the construction or future use of AT&T’s Proposed Tower could have a negative environmental impact on the Mianus River? If so, please provide a description of such information and copies of any such document(s).

A14) This document demand is overbroad and vague. AT&T’s consultants have reviewed areas of environmental effects, prepared reports and, for purposes of the Public Utility Environmental Standards Act, they are of the opinion that the concealed tower and related equipment at the Aquarion property would not represent a substantial adverse environmental effect on the Mianus River.

Q15) Does AT&T have any information or documents in its possession (including but not limited to any and all papers, reports, records and communications) which confirm that it is possible, even remotely, that the construction or future use of AT&T’s Proposed Tower could have a negative environmental impact on the Mill Pond? If so, please provide a description of such information and copies of any such document(s).

A15) This document demand is overbroad and vague. AT&T's consultants have reviewed relevant areas of environmental effects, prepared reports and, for purposes of the Public Utility Environmental Standards Act, they are of the opinion that the concealed tower and related equipment at the Aquarion property would not represent a substantial adverse environmental effect on the Mill Pond.

Q16) Does AT&T have any information or documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which provide that it is possible, even remotely, that the construction or future use of AT&T's Proposed Tower may have any negative environmental impact on any public water source? If so, please provide a description of such information and copies of any such document(s).

A16) This document demand is overbroad, vague and relates to matters within the jurisdiction of the Department of Public Health. AT&T generally refers the Intervenor to Section 25-32(f) of the Connecticut General Statutes which specifically allows towers on water tanks and water company lands and AT&T's counsel submits that the Legislature has as such concluded that such installations generally do not have negative impacts on public water sources.

Q17) Does AT&T have any information or documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which provide that it is possible, even remotely, that the construction or future use of AT&T's Proposed Tower may have any negative environmental impact on the Proposed Site? If so, please provide a description of such information and copies of any such document(s).

A17) This document demand is overbroad and vague. AT&T's consultants have reviewed relevant areas of environmental effect, prepared reports and, for purposes of the Public Utility Environmental Standards Act, they are of the opinion that the concealed tower and related equipment at the Aquarion property do not present the potential for any substantial adverse environmental effects on the Proposed Site.

Q18) Does AT&T have any information or documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which provide that it is possible, even remotely, that the construction or future use of AT&T's Proposed Tower may have any negative environmental impact on any properties near the Proposed Site? If so, please provide a description of such information and copies of any such document(s).

A18) This document demand is overbroad and vague. AT&T refers the Intervenor to its Petition, Supplemental Submissions and Responses to the Siting Council's Interrogatories for relevant factual information related to the environmental effects associated with AT&T's concealed tower and related equipment at the Proposed Site as relevant to the Public Utility Environmental Standards Act. Additionally, attached as Exhibit 3 is a copy of the air handler specification sheet with the manufacturer's decibel testing for its units. For reference, generally a db(A) of 50-75 db(A) is associated with an air conditioner at a home.

Q19) In Supplemental Submission II, dated December 8, 2011, AT&T stated that it received local approvals for an antenna attachment on the water tank at the Proposed Site in 2001. What were the reasons AT&T decided not to construct said antenna attachment that was approved in 2001? Please provide copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) upon which AT&T relied to make this decision.

A19) As testified by AT&T's consultants on February 9, 2012, AT&T's predecessor in interest made a business decision not to proceed with construction of the facility as approved in 2001. Documents related to AT&T's business decision are not relevant to the Council's considerations in ruling on Petition 1010.

Q20) What were the reasons AT&T changed its design for the Proposed Site from said antenna attachment that was approved in 2001 to the Proposed Tower? Please provide copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) upon which AT&T relied to make this decision.

A20) AT&T's network has changed in the past decade. The design changes at the Proposed Site relate to antenna centerline height and technology that requires additional equipment to be installed on the water tank for AT&T to reliably provide wireless services to the public. To the extent this document demand seeks information beyond that already provided to the Council, it is overbroad.

Q21) If the Siting Council denies this Petition 1010, will AT&T submit an application with the local commissions to obtain approval for an antenna attachment similar in design to the one that was approved in 2001?

A21) This question is not relevant to the Council's deliberations and issuance of a ruling on Petition 1010.

Q22) Will the Proposed Tower provide greater frequency coverage than would the antenna attachment that was approved in 2001? If so, please provide a description of the additional frequency coverage that AT&T would receive from the Proposed Tower instead of the antenna attachment that was approved in 2001.

A22) The concealed tower will permit an antenna height that will provide a larger area of radio frequency coverage than would the antenna design approved by the Town's Planning & Zoning Commission in 2001, particularly along Westover Road. Attached in Exhibit 4 is a plot showing the coverage differences between the currently proposed antenna height, and at the height approved in 2001.

Q23) In Supplemental Submission II, dated December 8, 2011, AT&T stated – "AT&T has evaluated new tower site alternatives in the area none of which have been able to be leased." Please provide a description of each of the alternative locations that were considered by AT&T, including the address, property owner, and approximate date that it was considered by AT&T.

A23) 560 West Hill Rd, Stamford, DeLeo, August 2009
West Hill Rd Cemetery, Stamford, Congregation Shalom Cemetery, October 2009
240 Roxbury Rd, Stamford, Roxbury Swim Club, May 2010
350 Roxbury Rd, Stamford, Temple Beth-El, September 2009
611 West Hill Rd, Stamford, Krieger, September 2009
Fort Stamford, City of Stamford, May 2009
564 West Hill Rd, Stamford, Karwosky, January 2010

Q24) For each location referenced in response to the preceding Interrogatory, please state the reason(s) why AT&T determined that any such location was not available for lease. Please provide copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which support any reason(s) why AT&T determined that any such location was not available for lease.

A24) All of the locations evaluated by AT&T were conventional tower site proposals. AT&T in conjunction with its consultants concluded the following with respect to a tower at these locations and why they could not be leased:

560 West Hill Rd, Stamford - Wetlands fill in leasable area, not buildable
West Hill Rd Cemetery, Stamford - Wetlands fill in leasable area, not buildable
240 Roxbury Rd, Stamford - Not approved for lease by Board of Directors
350 Roxbury Rd, Stamford - Owner's tower location would not meet coverage objectives
611 West Hill Rd, Stamford - Unable to reach lease terms with owner
Fort Stamford - City would not lease site for a "flagpole" tower and the site is on the National Register of Historic Places
564 West Hill Rd, Stamford - Unable to reach lease terms with owner

The request for documents in support of these conclusions is overbroad and not relevant as alternative sites are not a legal issue in this proceeding which seeks a finding that the project as proposed presents no "substantial adverse environmental effects" for purposes of the Public Utility Environmental Standards Act and the Intervenor's 22a-19 intervention.

Q25) For each location referenced in response to Interrogatory No. 24, please provide a description of any offers, both written and oral, that were made by AT&T to any owner and/or lessee and any responses, both written and oral, to said offers. Please provide copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which describe any such offer and/or response.

A25) This question and document demand is overbroad and not relevant to the Council's considerations in ruling on Petition 1010 for the reasons noted above in response to Interrogatory 24.

Q26) In Supplemental Submission II, dated December 8, 2011, AT&T stated that the Town property known as the "Pinetum" was considered but - "Unfortunately, that parcel has a deed restriction that many in the community have stated precludes its use as a tower site."

Did AT&T even review the deed of the Pinetum property? If so, did AT&T confirm that there was, in fact, a deed restriction that precluded AT&T from using the Pinetum property?

A26) AT&T did not state in Supplemental Submission II that it considered the Pinetum as an alternative. As a point of information and advocacy in response to the now Intervenors suggestion that there were other alternatives, AT&T simply noted that the community and Town of Greenwich had considered the Pinetum as a possible tower site as an alternative and in response to T-Mobile's proposed tower site at a home near a school on Palmer Hill Road. It was further noted in that submission that many in the community stated that the Pinetum has a deed restriction related to its use. AT&T itself did not specifically undertake a review of deeds for the Pinetum property, though AT&T did discuss the matter generally with Town officials as part of its consultations on this project and those officials noted the existence of a potential deed restriction for the Pinetum property.

Q27) If AT&T did not review the deed for the Pinetum property, please state the reason(s) why AT&T did not try to obtain a copy of the deed for the Pinetum property to confirm whether or not there was, in fact, a deed restriction that would have precluded AT&T from using the Pinetum Property?

A27) As noted above, AT&T did not consider the Pinetum land and any conventional tower site on that property as an alternative and as such a review of title was not relevant to AT&T for purposes of this proceeding. Upon information and belief, the Town of Greenwich would not make the Pinetum property available for tower leasing to T-Mobile. While not legally relevant in Petition 1010, Exhibit 5 contains a copy of information maintained by the Town of Greenwich regarding the Pinetum and provides further context for why AT&T did not consider the Pinetum property a site to pursue for siting of a conventional tower.

Q28) Attached hereto as **Exhibit 1** is a report issued by Isotrope, LLC, entitled "Assessment Of Options For The Placement Of A Wireless Facility In The Vicinity Of North Mianus In Greenwich, Connecticut," dated February 28, 2011 (hereinafter referred to as "Isotrope Report"). Does AT&T disagree with any conclusion(s) set forth in the Isotrope Report?

A28) This question is overbroad and the Isotrope Report is unrelated factually or legally to matters of relevance in Petition 1010. The Isotrope Report focuses on assessing the specific coverage needs of T-Mobile and potential alternative locations to satisfy T-Mobile's coverage objectives. The coverage objectives, alternates considered, and conclusions in the Isotrope Report pertain to geographic areas that are south of the specific coverage objectives being addressed by AT&T's proposed facility at 455 Valley Road, and are unrelated to AT&T's specific coverage needs.

Q29) If any part of your answer to the preceding Interrogatory is in the affirmative, state: (i) a description of the conclusion(s) in the Isotrope Report which AT&T refutes; (ii) the page number in the Isotrope Report where such conclusion(s) exists; and (iii) the basis for AT&T's position(s).

A29) See response to Interrogatory 28.

Q30) In the deed from the Town of Greenwich to the Greenwich Water Company for the Proposed Site (attached hereto as **Exhibit 2**), there is a deed restriction which AT&T has also described as a “right of reverter” (hereinafter referred to as the “Deed Restriction”). Will the construction or use of the Proposed Tower violate or conflict with the purpose of the Deed Restriction?

A30) This question calls for a legal conclusion and is not relevant to areas of Siting Council jurisdiction in Petition 1010.

Q31) Please explain the reasons which support your answer to the preceding Interrogatory.

A31) See response to Interrogatory 30.

Q32) Did AT&T ever discuss the Deed Restriction with Aquarion?

A32) See response to Interrogatory 30.

Q33) If any part of your answer to the preceding Interrogatory is in the affirmative, please provide a description of any facts, concerns or issues regarding the Deed Restriction that were discussed or considered by Aquarion or AT&T.

A33) See response to Interrogatory 30.

Q34) Please state whether the approval of Petition 1010 would violate or conflict with the purpose of any of the following which may apply to the Proposed Site:

- (i) deed restriction(s);
- (ii) easement(s);
- (iii) restrictive covenant(s);
- (iv) flood zone requirements;
- (v) zoning regulations; and
- (vi) inland wetland regulations.

A34) This question calls for legal conclusions principally irrelevant for purposes of the Siting Council’s jurisdiction in Petition 1010. Only subsection (iv) is relevant in this proceeding and AT&T’s witnesses have already responded to Siting Council interrogatories demonstrating that the concealed tower and related equipment would not be located in a flood zone.

Q35) If any part of your answer to the preceding Interrogatory is in the affirmative, please provide a description of such regulation, restriction, and/or encumbrance, which includes reference to where it could be found.

A35) This question calls for a legal conclusion and the Intervenors are referred to their own counsel for any legal analysis.

Q36) Within the last three (3) years, did AT&T communicate with any staff or officials from the Town of Greenwich (hereinafter referred to as "Greenwich") with regard to the Proposed Site?

A36) Yes.

Q37) If any part of your answer to the preceding Interrogatory is in the affirmative, state: (i) the name(s) and position(s) of any Greenwich official(s) or employee(s); (ii) the approximate date(s) during which the communication(s) took place; and (iii) to the best of your knowledge, a brief description of any issues that were discussed.

A37) This question is not relevant for purposes of the Siting Council's deliberations in Petition 1010 and a ruling on whether or not the concealed tower and related equipment would have a substantial adverse environmental effect for purposes of the Public Utility Environmental Standards Act. As noted previously, AT&T has consulted with various Town officials including the Selectman and members of the Department of Planning.

Q38) State the name(s) and address(s) of all experts whom you intend to use as expert witnesses in support of this Petition 1010.

A38) This information was disclosed in AT&T's Pre-Hearing Witness List as filed with the Siting Council and served on the Intervenors on February 2, 2012. AT&T reserves the right to call any additional witnesses for rebuttal.

Q39) For each witness identified in response to the preceding Interrogatory, state:

- (i) the qualifications of each expert witness;
- (ii) the subject matter on which each expert witness is expected to testify;
- (iii) the substance of the facts and opinions to which each expert witness is expected to testify; and
- (iv) a summary of the grounds for each opinion of each expert witness expected to testify.

A39) This information was disclosed in AT&T's Pre-Hearing Witness List as filed with the Siting Council and served on the Intervenors on February 2, 2012.

Q40) State the names and addresses of any fact witnesses you intend to call to testify in support of this Petition 1010.

A40) This information was disclosed in AT&T's Pre-Hearing Witness List as filed with the Siting Council and served on the Intervenors on February 2, 2012.

Q41) Did AT&T conduct a "plate analysis" of the walls of the water tank at the Proposed Site to determine its capacity to support the loads associated with the construction and use of the Proposed Tower?

A41) AT&T's structural engineers assessed the water tank which included field data and ultrasonic inspection of the tank wall thickness. The original drawings for the water tank were also reviewed. Upon any approval of the Siting Council, a fabrication plan, which will include final design details, will be prepared for purposes of State Building Code compliance and submitted as part of a building permit application.

Q42) If the answer to the preceding Interrogatory is in the affirmative, please provide copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications).

A42) Attached as Exhibit 6 are copies of CHA's field notes, photographs and a copy of the original water tank drawings.

Q43) If the answer to the preceding Interrogatory is in the negative, please state the reasons why AT&T was able to conclude that the water tank at the Proposed Site is capable of sustaining the loads associated with the construction and use of the Proposed Tower.

A43) An overturning analysis of the tank was completed by AT&T's structural engineers. Such analysis determined the feasibility of the design and the size of the tower structure that the water tank could support.

Q44) Please provide any information or copies of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which contain any analysis or calculations regarding the load capacity of the water tank at the Proposed Site.

A44) As related to AT&T's proposed concealment tower, this information is contained in the reports already provided by AT&T to the Council and included in the Petition.

Q45) Please provide a copy of any documents in AT&T's possession (including but not limited to any and all papers, reports, records and communications) which you relied upon to answer any of these Interrogatories.

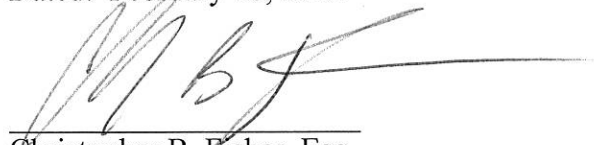
A45) This question is overbroad as AT&T and its consultants rely on numerous documents that are public or private in completing their scopes of work on behalf of AT&T including responses to these Interrogatories.

CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and 20 copies of the foregoing was sent electronically and by overnight delivery to the Connecticut Siting Council with a copy by first class mail to:

Mario F. Coppola, Esq.
Bercham, Moses, and Devlin, P.C.
27 Imperial Avenue
Westport, Connecticut 06880

Dated: February 16, 2012

A handwritten signature in black ink, appearing to read 'C.B. Fisher', written over a horizontal line.

Christopher B. Fisher, Esq.

cc: Michele Briggs, AT&T
Liz Camerino-Schultz, Aquarion